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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,774	07/10/2001	Katsutoshi Takeda	4970/01592	1362

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EXAMINER

MUTSCHLER, BRIAN L

ART UNIT PAPER NUMBER

1753

DATE MAILED: 03/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/902,774

Applicant(s)

TAKEDA ET AL.

Examiner

Brian L. Mutschler

Art Unit

1753

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 26 February 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☒ they raise the issue of new matter (see Note below);
- (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 6.

Claim(s) objected to: _____.


Claim(s) rejected: 1-5 and 7.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____.

Continuation of 2. NOTE: The proposed amendment to claim 5 raises the issue of new matter and presents issues that require further consideration. The added limitation in claim 5, "the respective power generating regions being separated in a direction crossing the direction of series connection of the solar cells," does not appear to be supported by the original disclosure. The limitation is also indefinite because the claim does not define a direction of series connection. The meaning of "the respective power generating regions being separated" is also unclear because the specification does not appear to identify such a separation, or the direction in which they are separated. It is also noted that the proposed amendment adds the phrase "a plurality of types of solar cell modules" in claim 5. The word "type" is indefinite because the properties and qualifications encompassed by the term "type" is not clear. The additional limitation proposed in the amendment filed February 26, 2004, raises another new issue for consideration. The new limitation "power generating regions, each of which has a plurality of solar cells connected in series" presents a new level of organization not previously considered. Before the addition of a plurality of solar cells, the power generating means themselves were connected in series and comprised the means through which electricity is generated. The addition of a plurality of solar cells as a sub-unit of the power generating regions creates a new level of organization within the solar cell modules, which now comprise a different numbers of solar cell sub-modules, each having a plurality of power generating regions, which in turn comprise a plurality of solar cells.

Continuation of 5. does NOT place the application in condition for allowance because: Applicant's arguments are not persuasive. Regarding claim 5, Applicant has argued that the references do not teach the use of modules of different sizes to achieve the same output voltage. As explained in the prior Office action, JP 11-195803 teaches that voltage mismatch causes output losses, and Younan et al. teach that the voltage can be controlled by appropriately configuring interconnections. Therefore, one skilled in the art would have been motivated to configure the interconnections to control the voltage such that the output was voltage-matched in order to avoid output losses. Dillard directly teaches the use of different sized modules and cells that are voltage-matched. Regarding claim 7, Applicant's admissions of the structure of the supporting means in combination with the teachings of JP 10-082152 suggests the placement of the wiring member as claimed because such placement avoids rain infiltration. In light of the teachings of the prior art, Applicant's arguments are not persuasive.


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